

REMARKS

Claims 1-33 are pending in the present patent application. Claims 1-33 stand rejected.

This application continues to include claims 1-33.

Claims 1-33 were rejected under 35 U.S.C. §102(b) as being anticipated by Boldt, et al., U.S. Patent No. 6,349,304 B1 (hereinafter, Boldt). Applicants respectfully request reconsideration of the rejection of claims 1-33 in view of the following.

Boldt is directed to configuring devices over a network with settings and, in particular, copying the settings from one network device, such as a network printer, to a plurality of network devices, such as printers (col. 1, lines 12-14). Boldt discloses that at block 46, a list of printers is displayed, and that at block 48, the user selects printers as targets from those displayed (col. 8, lines 11-24, Fig. 8). At block 50, groups of features 26 associated with the selected source are displayed, and at block 52, the user selects one or more groups of features 26 (col. 8, lines 25-33, Fig. 8). At block 56, the source and target printers, and the values for the selected features are displayed, and at block 58, the user selects the “Finish” button to begin the process of copying values for the selected features to the target printers (col. 8, lines 34-47, Fig. 8), which is performed as a loop from block 60 to block 72 for each target printer (col. 9, lines 23-26, Fig. 8).

At block 60, the computer selects a target printer, and at block 64, transmits a query over the network to determine if the target printer supports both the selected feature and the source value for the selected feature (col. 8, lines 50-65, Fig. 8). After determining which of the values are supported at the target printer, at block 66 the computer configures the target printer with the selected group of features that are available at the target printer (col. 9, lines 3-8, Fig. 8). At block 68, the computer maintains information indicating values for the selected features not copied to the target printer, and at block 70 the computer determines if there are any unconfigured

printers left, wherein if so, control transfers to block 72 to loop back to block 60 until all target printers are configured (col. 9, lines 17-26, Fig. 8).

Applicants believe that claims 1-33 patentably define Applicants' invention over Boldt, for at least the reasons set forth below.

Claim 1 is directed to a method of establishing a plurality of target device settings for at least one target device based on a plurality of source device settings of a source device via a network.

Claim 1 recites, in part, writing each setting of said plurality of source device settings to said at least one target device; and generating an invalid setting indication for each setting not accepted by said at least one target device.

Thus, with Applicants' invention of claim 1, an invalid setting indication is generated for each setting not accepted by the at least one target device.

That is, the invalid setting indication is generated after writing each setting, i.e., after the setting was not accepted by the target device during the writing of the setting to the target device. Hence, Applicants' use of the phrase, generating an invalid setting indication for each setting not accepted by the at least one target device.

In contrast to claim 1, as set forth in Applicants previous response, electronically filed October 2, 2006, Boldt discloses querying whether the selected feature and source value are supported by the target printer (block 60) before configuring the target printer.

Thus, the Boldt method queries to determine if the setting is acceptable prior to copying the feature/value.

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The generally corresponding Boldt sequence of actions is thus the opposite of claim 1, and accordingly, Boldt does not disclose, teach, or suggest generating an invalid setting indication for each setting not accepted by said at least one target device, which necessarily takes place after writing the setting to the target device.

In addition, Boldt does not disclose, teach, or suggest the specific claim element pertaining to a setting not accepted by the target printer, because, prior to configuring the target printer, Boldt queries whether the target printer supports the selected feature and value.

Thus, there is no Boldt “setting not accepted,” since Boldt does not attempt to copy the feature/value until after Boldt determines that the feature/value is supported, wherein the feature/value will be copied only if it is supported.

That is, since only supported features/values are copied in the Boldt process, each will be accepted by the target printer, and hence, there is no features/values that are not accepted.

Hence, because Boldt does not attempt to write the settings until after querying to determine whether the selected feature and source value are supported, and thus, writes only values that will be accepted, Boldt does not disclose, teach, or suggest an invalid setting indication for each setting not accepted.

In contrast to querying whether the selected feature and source value are supported, and then writing the value, as disclosed by Boldt, Applicants’ invention of claim 1 writes the setting, and then generates an invalid setting indication for each setting that was not accepted when the setting was written, which foregoes the separate step of first querying whether the feature and source value are supported that is performed by the Boldt process.

In the **Response to Amendment**, the Examiner asserts that Boldt does not disclose querying a target device for setting information before generating an invalid setting indication.

In particular, the Examiner relies on Boldt step 58 of Fig. 8, and the passages at column 8, lines 43-49 and 60-65.

Boldt step 58 of Fig. 8 and the passage at column 8, lines 43-49 indicates that if the user selects “Finish,” the copying process begins. However, it is understood that the copying process takes place at steps 60-66 in Fig. 8, not at step 58. Rather, step 58 sets the process of steps 60-66 in motion by virtue of the user selecting “Finish.”

Significantly, since the target printer is not selected until step 60 of Fig. 8, it logically follows that the copying cannot take place at step 58, since as yet in step 58, the target to which the values may be copied is not yet identified.

For example, the Boldt process may be summarized in part as follows (see Boldt Fig. 8, steps 58-74, and the Boldt specification from column 8, line 43 to column 9, line 32): At step 58, the user selects “Finish,” and then the target printer selected and displayed in a dialog box at steps 60 and 62, respectively.

Then, at step 64, a query is sent to the selected target to determine if the target supports the source features and values. Subsequently, at step 66, the source values for the features that are available at the target are copied to the target, thereby configuring the target.

Thus, Boldt clearly discloses that before the source values are copied, the target printer is queried to determine if it supports the source features and values.

In contrast, with the invention of claim 1, the writing of each setting of the plurality of source device settings to the at least one target device is followed by the subsequent act of

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generating an invalid setting indication for each setting not accepted by the at least one target device.

In addition, since Boldt queries to determine which features/values are supported prior to copying the features/values, and hence only copies those features/values that are supported, there is no Boldt corresponding setting that is “not accepted,” and thus, no corresponding Boldt invalid setting indication for each setting not accepted.

That is, since each of the Boldt features/values that are copied are already known to be supported by the printer, each is accepted by the printer.

Boldt does not disclose, teach, or suggest attempting to copy features/values that are not already known to be supported, such as might otherwise result in features/values being not accepted by the target printer.

Thus, rather than querying to determine if the feature/value is supported, and then copying the feature/value, as disclosed by Boldt, the sequence of claim 1 writes the setting first, and then addresses whether or not the setting was supported by generating an invalid setting indication for each setting that was not accepted.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (MPEP2131).

In addition, the elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990) (MPEP2131).

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Since the Boldt step of querying the target printer is performed prior to copying the source values to the target printer, whereas claim 1 recites generating an invalid setting indication for each setting not accepted by the at least one target device, which by definition takes place after writing the source device settings to the target device, it is clear that the Boldt process does not arrange the asserted elements as required by claim 1, and hence, claim 1 is not anticipated by Boldt.

In addition, since Boldt does not disclose, teach, or suggest An invalid setting indication for a setting “not accepted” by the target device, each and every element as set forth in claim 1 is found, either expressly or inherently described, in a single prior art reference, and hence, claim 1 is not anticipated by Boldt.

Claim 1 also recites, in part, querying said at least one target device for setting information based on each said invalid setting indication.

Boldt simply does not disclose, teach, or suggest querying a target printer for setting information based on each invalid setting indication.

Rather Boldt merely discloses querying whether the source features and values are supported by the target printer (step 64, Fig. 8, col. 8 line 60 to col. 9, line 3), without any action akin to subsequently querying the target printer for setting information based on the features and values that are not supported.

Claim 1 further recites, in part, writing, for at least one of said each setting not accepted by said at least one target device, a value to said at least one target device, said value corresponding to said setting information.

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Boldt simply does not disclose, teach, or suggest writing, for at least one of each setting not accepted by the at least one target device, a value to the at least one target device, the value corresponding to the setting information.

Rather, Boldt discloses determining which features/values are supported, and then configuring the target printer with those features/values, without taking remedial actions if a setting is not supported, such as writing a value to the at least one target device, the value corresponding to the setting information, wherein the setting information is obtained by querying the target device based on an invalid setting indication, as recited in claim 1.

Since Boldt does not disclose, teach, or suggest querying the at least one target device for setting information based on each invalid setting indication, and does not disclose, teach, or suggest writing, for at least one of each setting not accepted by the at least one target device, a value to the at least one target device, the value corresponding to the setting information, each and every element as set forth in the claim is not found, either expressly or inherently described, in a single prior art reference, and accordingly, Boldt does not anticipate claim 1 under MPEP 2131.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Boldt does not disclose, teach, or suggest the subject matter of claim 1. Claim 1 is thus believed allowable in its present form.

Claims 2-11 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 1. In addition, claims 2-11 further and patentably define the invention over Boldt.

For example, claim 3 is directed to the method of claim 1, further comprising the step of retrieving an optimized list of source device settings from a location, wherein said writing said

each setting includes writing said each setting according to said optimized list of source device settings.

Boldt simply does not disclose, teach, or suggest retrieving an optimized list of source device settings from a location, much less wherein writing each setting includes writing each setting according to the optimized list of source device settings, as recited in claim 3.

Although the Examiner asserts that Boldt does so at column 9, lines 1-9, Applicants respectfully submit that the relied upon Boldt passage merely provides that after determining which of the values for the selected features are supported at the target printer, the computer configures the selected target printer with the values for the selected group of features that are available at the target printer.

Thus, the relied-upon passage does not disclose, teach, or suggest an retrieving an optimized list of source device settings, as recited in claim 3, but rather, discloses only determining supported features and configuring the target printer with features that are available at the target printer, without any suggestion of an optimized list, much less, an optimized list of source device settings or retrieving an optimized list of source device settings, as recited in claim 3.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (MPEP2131).

However, since Boldt does not disclose, teach, or suggest the elements pertaining to retrieving an optimized list of source device settings from a location, wherein writing each setting includes writing each setting according to the optimized list of source device settings, as recited in

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claim 3, each and every element as set forth in claim 3 is not found, either expressly or inherently described, in a single prior art reference, and hence, Boldt does not anticipate claim 3.

Accordingly, claim 3 is believed allowable in its own right.

Claim 4 is directed to the method of claim 3, wherein said optimized list of source device settings is based on a dependency of one of said each setting upon another of said each setting.

Boldt simply does not disclose, teach, or suggest anything akin to an optimized list of source device settings based on a dependency of one of each setting upon another of each setting, as recited in claim 4.

The relied-upon Boldt passage at column 9, lines 1-9 does not disclose, teach, or suggest any source device settings that are based on a dependency of one of each setting upon another of each setting. Rather, the relied-upon Boldt passage simply discloses writing the values to a printer file or a printer, without any mention or suggestion of source device settings that are based on a dependency of one of each setting upon another of each setting.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (MPEP2131).

However, since Boldt does not disclose, teach, or wherein the optimized list of source device settings is based on a dependency of one of each setting upon another of each setting, as recited in claim 4, each and every element as set forth in claim 4 is not found, either expressly or inherently described, in a single prior art reference, and hence, Boldt does not anticipate claim 4.

Accordingly, claim 4 is believed allowable in its own right.

Claim 5 is directed to the method of claim 1, further comprising the step of verifying an acceptance of said each setting by said at least one target device prior to said generating said invalid setting indication.

In contrast to verifying an acceptance of each setting by at least one target device prior to generating the invalid setting indication, i.e., verifying that the settings written to the target device are accepted, Boldt discloses configuring the target printer with those features/values after first determining which features/values are supported (col. 9, lines 3-8, Fig. 8).

However, Boldt does not disclose, teach, or suggest a subsequent step of verifying that the features/values were accepted by the target printer after the target printer was configured.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (MPEP2131).

However, since Boldt does not disclose, teach, or verifying an acceptance of each setting by the at least one target device prior to generating the invalid setting indication, as recited in claim 5, each and every element as set forth in claim 5 is not found, either expressly or inherently described, in a single prior art reference, and hence, Boldt does not anticipate claim 5.

Accordingly, claim 5 is believed allowable in its own right.

Claim 6 is directed to the method of claim 1, wherein said source device transmits a program to a computer via said network, said computer having access to said at least one target device via said network, said program executing on said computer to perform said steps of said writing said each setting, said generating said invalid setting indication, said querying said at least one target device, and said writing said value.

Boldt simply does not disclose, teach, or suggest wherein the source device transmits a program to a computer via the network that executes on the computer to perform the steps recited in claim 1 (writing, generating, querying, and then writing), as recited in claim 6.

In rejecting claim 6, the Examiner relies on Boldt at column 7, lines 55-58 as assertedly disclosing wherein the source device transmits the program to the computer via a network.

However, the relied-upon Boldt passage at column 7, lines 55-58 merely discloses that the logic is implemented in an application program or operating system of the computer (col. 7, lines 55-58), without any reference to or otherwise in any manner disclosing, teaching, or suggesting where the application program or operating system came from, much less from the source device, or that the source device transmits the program to the computer, as recited in claim 6.

The relied-upon passage supply does not support the proposition asserted by the Examiner.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (MPEP2131).

However, since Boldt does not disclose, teach, or wherein the source device transmits a program to a computer via the network, the computer having access to the at least one target device via the network, the program executing on the computer to perform the steps of writing the each setting, generating the invalid setting indication, querying the at least one target device, and writing the value, as recited in claim 6, each and every element as set forth in claim 6 is not found, either expressly or inherently described, in a single prior art reference, and hence, Boldt does not anticipate claim 6.

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Accordingly, claim 6 is believed allowable in its own right.

Claim 10 is directed to the method of claim 1, wherein said setting information includes a current target device setting.

In contrast to claim 10, Boldt discloses determining which features/values are supported, and then configuring the target printer with those features/values (col. 9, lines 3-8, Fig. 8).

However, Boldt makes no reference to a current target device setting, and does not otherwise disclose, teach, or suggest wherein the setting information includes a current target device setting.

In rejecting claim 10, the Examiner relies on Boldt at column 8, lines 43-47. However, the relied-upon passage merely discloses that if the user selects “Finish,” the process of copying the values would begin. The relied-upon passage supply does not support the proposition asserted by the Examiner.

In addition, the Examiner asserts that the relied-upon passage means “they are available to accept the setting.”

However, even assuming, arguendo, that the Examiner’s assertion is correct, such an assertion simply does not support the proposition that the setting information includes a current target device setting. Boldt simply does not disclose, teach, or suggest setting information including a current target device setting.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (MPEP2131).

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However, since Boldt does not disclose, teach, or wherein said setting information includes a current target device setting, as recited in claim 10, each and every element as set forth in claim 10 is not found, either expressly or inherently described, in a single prior art reference, and hence, Boldt does not anticipate claim 10.

Accordingly, claim 10 is believed allowable in its own right.

Claim 12 is directed to a computer readable storage device storing a set of computer executable instructions for implementing a method of establishing a plurality of target device settings for at least one target device based on a plurality of source device settings of a source device via a network, said method comprising the steps of: writing each setting of said plurality of source device settings to said at least one target device; generating an invalid setting indication for each setting not accepted by said at least one target device; querying said at least one target device for setting information based on each said invalid setting indication; and writing, for at least one of said each setting not accepted by said at least one target device, a value to said at least one target device, said value corresponding to said setting information.

Claim 12 is believed to be allowable in its present form for substantially the same reasons as set forth above with respect to claim 1.

Claims 13-22 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 12. In addition, claims 13-22 further and patentably define the invention over Boldt for substantially the same reasons as set forth above with respect to claims 2-11.

Claim 23 is directed to an imaging apparatus having a controller configured to execute computer executable instructions for implementing a method of establishing a plurality of target

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device settings for at least one target device based on a plurality of source device settings of a source device via a network, said method comprising the steps of: writing each setting of said plurality of source device settings to said at least one target device; generating an invalid setting indication for each setting not accepted by said at least one target device; querying said at least one target device for setting information based on each said invalid setting indication; and writing, for at least one of said each setting not accepted by said at least one target device, a value to said at least one target device, said value corresponding to said setting information.

Claim 23 is believed to be allowable in its present form for substantially the same reasons as set forth above with respect to claim 1.

Claims 24-33 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 23. In addition, claims 24-33 further and patentably define the invention over Boldt for substantially the same reasons as set forth above with respect to claims 2-11.

For the foregoing reasons, Applicants submit that the cited reference does not disclose, teach, or suggest the subject matter of the pending claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

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Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

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